

86<sup>th</sup> Legislative Session – 2011

Committee: Senate Commerce

Tuesday, January 18, 2011

P - Present  
E - Excused  
A - Absent

Roll Call

P Adelstein  
P Buhl  
P Johnston  
P Lederman  
P Rave  
P Nygaard, Vice-Chair  
P Nelson (Tom), Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Chair, Tom Nelson.

MOTION: TO APPROVE THE MINUTES OF JANUARY 13, 2011

Moved by: Nygaard  
Second by: Johnston  
Action: Prevailed by voice vote.

SB 44: revise certain provisions regarding representations and warranties in insurance and annuity applications.

THE CHAIR DEFERRED SB 44 UNTIL THURSDAY, JANUARY 20, 2011

SB 47: revise certain firm ownership provisions regarding real estate license holders and to make form and style revisions to certain provisions related to the Real Estate Commission.

THE CHAIR DEFERRED SB 47 UNTIL THURSDAY, JANUARY 20, 2011

SB 49: authorize the Real Estate Commission to commence actions for injunctions against certain individuals and entities that engage in the practice of real estate without a license issued and to provide for recovery of costs of the injunction proceedings by the commission.

THE CHAIR DEFERRED SB 49 UNTIL THURSDAY, JANUARY 20, 2011

SB 45: repeal the requirement to prepare a report on extending health insurance to medically uninsurable individuals who are not part of a small employer group.

Presented by: Randy Moses, Division of Insurance

MOTION: DO PASS SB 45

Moved by: Rave

Second by: Nygaard

Action: Prevailed by roll call vote. (6-0-0-1)

Voting Yes: Buhl, Johnston, Lederman, Rave, Nygaard, Nelson (Tom)

Absent: Adelstein

MOTION: PLACE SB 45 ON CONSENT CALENDAR

Moved by: Nygaard

Second by: Rave

Action: Prevailed by voice vote.

SB 46: provide that the state treasurer shall receive certain cost penalties in certain alcoholic beverage cases.

Presented by: Matt Fonder, Department of Revenue & Regulation

MOTION: DO PASS SB 46

Moved by: Rave

Second by: Lederman

Action: Prevailed by roll call vote. (6-0-0-1)

Voting Yes: Buhl, Johnston, Lederman, Rave, Nygaard, Nelson (Tom)

Absent: Adelstein

MOTION: PLACE SB 46 ON CONSENT CALENDAR

Moved by: Nygaard

Second by: Rave

Action: Prevailed by voice vote.

SB 48: revise certain provisions regarding the consumption of distilled spirits in public and to provide certain penalties for consumption of alcoholic beverages.

Presented by: Matt Fonder, Department of Revenue & Regulation

MOTION: DO PASS SB 48

Moved by: Nygaard

Second by: Adelstein

Action: Prevailed by roll call vote. (7-0-0-0)

Voting Yes: Adelstein, Buhl, Johnston, Lederman, Rave, Nygaard, Nelson (Tom)

MOTION: PLACE SB 48 ON CONSENT CALENDAR

Moved by: Adelstein

Second by: Nygaard

Action: Prevailed by voice vote.

SB 38: establish network adequacy standards, quality assessment and improvement requirements, utilization review and benefit determination requirements, and grievance procedures for managed health care plans, and to repeal certain standards for managed health care plans.

Presented by: Randy Moses, Division of Insurance

Proponents: Dennis Duncan, Dakotacare

Darla Pollman-Rogers, Wellmark Blue Cross Blue Shield of SD

MOTION: AMEND SB 38

38jb

On page 25, line 12, of the printed bill, before "without" insert "the services shall be covered".

Moved by: Adelstein  
Second by: Rave  
Action: Prevailed by voice vote.

MOTION: AMEND SB 38

38jc

On page 45, line 11, of the printed bill, delete "educes" and insert "reduces".

Moved by: Adelstein  
Second by: Nygaard  
Action: Prevailed by voice vote.

MOTION: AMEND SB 38

38ja

On page 13, line 17, of the printed bill, delete "utilization review" and insert "managed care activities".

On page 28, line 5, delete "92" and insert "87".

On page 33, line 15, delete "92" and insert "87".

On page 33, line 21, delete "92" and insert "87".

On page 36, line 2, delete "92" and insert "87".

On page 37, line 1, delete "92" and insert "87".

On page 37, line 20, delete "93" and insert "88".

On page 37, line 22, delete "93" and insert "88".

On page 42, line 23, delete "92" and insert "87".

On page 43, line 2, delete "88 to 91" and insert "84 to 88".

On page 43, line 24, delete "92" and insert "87".

On page 44, line 19, delete "93" and insert "88".

On page 45, line 17, delete "93" and insert "88".

On page 48, line 9, delete "88 to 91" and insert "79 to 87".

On page 52, line 19, delete "93" and insert "88".

On page 52, line 21, delete "88" and insert "83".

On page 52, line 22, delete "89 to 92" and insert "84 to 87".

On page 52, line 24, delete "93" and insert "88".

On page 53, line 2, delete "89" and insert "84".

On page 53, line 3, delete "92" and insert "87".

On page 53, line 10, delete "88" and insert "83".

On page 53, line 13, delete "93" and insert "88".

On page 53, line 17, delete "93" and insert "88".

On page 59, delete lines 16 to 24, inclusive.

On page 60, delete lines 1 to 24, inclusive.

On page 61, delete lines 1 to 9, inclusive.

On page 62, line 4, delete "92" and insert "87".

On page 62, line 15, delete "89 to 92" and insert "84 to 87".

On page 69, line 18, delete "93" and insert "88".

On page 71, line 2, delete "93" and insert "88".

On page 72, line 13, delete "99" and insert "94".

On page 76, line 17, delete "99" and insert "94".

Moved by: Nygaard  
Second by: Rave  
Action: Prevailed by voice vote.

MOTION: DO PASS SB 38 AS AMENDED

Moved by: Nygaard  
Second by: Johnston  
Action: Prevailed by roll call vote. (6-1-0-0)

Voting Yes: Buhl, Johnston, Lederman, Rave, Nygaard, Nelson (Tom)

Voting No: Adelstein

MOTION: ADJOURN

Moved by: Rave  
Second by: Nygaard  
Action: Prevailed by voice vote.

Lois Henry  
Committee Secretary

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Tom Nelson, Chair